

EXHIBIT 19

STATE OF NEW JERSEY,
Plaintiff,
vs.
JAMIE FARTHING,
Defendant.

Place: Bergen County Courthouse
Hackensack, NJ 07601

Date: November 6, 1996

BEFORE:

HONORABLE TIMOTHY J. SULLIVAN, J.S.C. AND JURY

TRANSCRIPT ORDERED BY:

DEBORAH COLLINS, ESQ. (Office of the Public Defender)

APPEARANCES:

PATRICIA BAGLIVI, ESQ. (Assistant Prosecutor)
Attorney for the State of New Jersey

JOHN WEICHSEL, ESQ.
Attorney for the Defendant

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Video Recorded
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I N D E X

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Colloquy

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Colloquy

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1 MS. BAGLIVI: Tells the jury that she's in jail?

2 THE COURT: You want that now?

3 MS. BAGLIVI: Just -- just on the record, you know,

4 just so we --

5 THE COURT: Somewhere along the line.

6 MS. BAGLIVI: Right, that's fine.

7 MR. WEICHSEL: Somewhere along the line, judge.

8 Judge, I reviewed --

9 THE COURT: I pulled these right out of Harris.

10 MR. WEICHSEL: Okay. On question one, where you say
11 it is within the provinces of the jury to accept or reject a
12 psychiatric expert's opinion, could -- since I'm also using a
13 psychologist could you put a psychologist of psychiatric expert
14 opinion?

15 THE COURT: Sure. I'm going to read these things.

16 MR. WEICHSEL: I understand that.

17 THE COURT: I'm not going to hand them out.

18 MR. WEICHSEL: I understand that. Then could you also
19 ask a question, would you be able to accept a psychologist's of
20 psychiatric expert opinion if you believe it to be meritorious,
21 because the question can you disregard it if you conclude that
22 (inaudible) -- we don't have -- you don't have any, you know,
23 you don't ask it the other way.

24 THE COURT: Say that again, that -- question two or
25 what?

Colloquy

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1 MR. WEICHSEL: Well with question one, would you
2 disregard a psychiatric opinion if you conclude --

3 THE COURT: Oh, I see --

4 THE COURT: -- psychological --

5 THE COURT: -- psychological.

6 MR. WEICHSEL: Would you be able to accept a
7 psychologist's or a psychiatric expert opinion if you believe
8 it to be meritorious, or --

9 THE COURT: It lacked merit.

10 MR. WEICHSEL: What?

11 THE COURT: I say there, "Would you be able to
12 disregard a psychiatric or psychological opinion if you
13 concluded that it lacked merit.

14 MR. WEICHSEL: I'd like you to also ask in the
15 positive, would you be able to accept such an opinion if you
16 believe the -- you know, that it was meritorious. I mean there
17 are some people that just don't accept psychology or
18 psychiatry.

19 THE COURT: Yeah.

20 MR. WEICHSEL: The think it's all bunk.

21 THE COURT: I -- that's the next question. "Do you
22 have any opinion or preconceived notion as or ideas about
23 psychiatry, psychiatry in general, psychology which would
24 hinder or otherwise influence your ability to evaluate
25 psychiatric testimony in a fair and impartial -- on a based

1 manner -- unbiased manner."

2 MR. WEICHSEL: But it -- I think if you said would
3 they be able to accept --

4 THE COURT: Unbiased manner.

5 MR. WEICHSEL: It really doesn't say would they be
6 able to accept such a thing. You know, you ask them would you
7 reject such an opinion and -- but you never really ask them
8 could they accept such an opinion.

9 MS. BAGLIVI: But I think it does in the second
10 question. I think --

11 THE COURT: Well I'll do it, I have no problem with
12 that, or the other reverse is would you be able to accept it if
13 you felt it lacked merit -- that it -- it was meritorious.

14 MR. WEICHSEL: Then on the next two where you have,
15 "Have you or anyone close to you ever sought the assistance of a
16 psychiatrist or a psychologist." There are therapists that do
17 mental health services that are not psychiatrists or
18 psychologists such as --

19 THE COURT: No, here's what we'll do with that, Mr. -
20 -

21 MR. WEICHSEL: Yeah.

22 THE COURT: Have you or anyone close to you ever
23 sought the assistance of a psychiatrist or psychologist, raise
24 your hands; all right, come up to sidebar and tell us.

25 MR. WEICHSEL: Well what happens if somebody like a

Colloquy

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1 therapist, like a social worker, is not a psychologist or
2 psychiatrist or they answer that no but they've had therapy? I
3 -- could you just put in there or other type of therapist.

4 THE COURT: Now you're talking about then -- why --
5 why do you want that question let me ask you. You know, we've
6 got social workers, therapists here. Well let's talk about
7 that, you were going to --

8 MR. WEICHSEL: Yeah. I have a social worker who I'm
9 going to plan to call to testify and I'm doing some research on
10 that. I plan to have a memorandum to -- to you by -- by Monday
11 or Tuesday, judge -- well Monday's a holiday, by Tuesday on
12 that.

13 THE COURT: It would -- now what you have informed us
14 is that you have a social worker who has done some
15 investigative work --

16 MR. WEICHSEL: Investigative work.

17 THE COURT: -- in this case and you're asking that
18 that -- that she or he be a test -- a witness.

19 MR. WEICHSEL: Yes.

20 THE COURT: And there's a question as to whether --
21 what can they testify to.

22 MR. WEICHSEL: That's right, and I'm going to give
23 you --

24 THE COURT: As an expert on what?

25 MR. WEICHSEL: Well I'm going to be submitted a

Colloquy

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1 memorandum on that, judge.

2 MR. WEICHSEL: Yeah.

3 THE COURT: All right, I'm just going to say have you
4 or anyone else in -- ever sought the assistance of a
5 psychiatrist or a psychologist or any other therapist.

6 MR. WEICHSEL: Fine.

7 THE COURT: Then family therapist.

8 MR. WEICHSEL: It's all mental health related, judge.

9 THE COURT: Yeah, I have no problem with that.

10 MR. WEICHSEL: Some people don't even know what the
11 status is.

12 THE COURT: Anything else with regard to this?

13 MR. WEICHSEL: I guess then the last question you put
14 in the word therapist too then I guess.

15 THE COURT: Well that's again with the fact that --
16 that you or someone close to you sought the assistance or a --
17 of a psychiatrist or psychologist effect or influence your
18 judgment in this case should psychiatric testimony be
19 presented. If they say yes well then we call them sidebar --

20 MR. WEICHSEL: Okay.

21 THE COURT: -- and say well how are they going to
22 affect you?

23 MR. WEICHSEL: That's fine, judge, okay.

24 THE COURT: If they say no, that's it, we'll just use
25 them. Anything else?

Colloquy

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1 MR. WEICHSEL: Judge, I have a -- I have a witness
2 list.

3 THE COURT: What did you do, blow a fuse or what?

4 MR. WEICHSEL: No.

5 MS. BAGLIVI: Ut-oh, is that mine or yours?

6 MR. WEICHSEL: It must be the microphone.

7 MS. BAGLIVI: It's your microphone?

8 MR. WEICHSEL: It works.

9 THE COURT: Still you're not going to get an
10 adjournment.

11 MR. WEICHSEL: What?

12 THE COURT: You're not going to get an adjournment.

13 MR. WEICHSEL: No.

14 THE COURT: Even if you kick out the speaker.

15 MR. WEICHSEL: You know, it's just -- I just have to
16 remember it's there.

17 THE COURT: All right, I have -- do you have a list
18 of his witnesses here?

19 MS. BAGLIVI: Yes, judge, I can it to Lucy, I gave
20 her copies --

21 THE COURT: His -- his.

22 MR. WEICHSEL: Yeah.

23 MS. BAGLIVI: Oh, I saw it.

24 THE COURT: I think there's some on your list; Jason

25 --

Colloquy

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1 MS. BAGLIVI: Farthing.

2 THE COURT: Is he on your list?

3 MS. BAGLIVI: He might be on my list also, judge. I
4 put everybody's name that might be --

5 THE COURT: You have Kathy, Paul Farthing. You don't
6 have Jessie and Jason?

7 MR. WEICHSEL: No.

8 THE COURT: All right, and then you have Billy -- oh,
9 that's Feinberg?

10 MR. WEICHSEL: Billy Feinberg, she's a social worker.

11 THE COURT: That's the social worker.

12 MR. WEICHSEL: Okay.

13 THE COURT: And Jonathan --

14 MR. WEICHSEL: Kainman, K-A-I-N-M-A-N.

15 THE COURT: Okay. Did you go to school in New York
16 City?

17 MR. WEICHSEL: No, I went to school in Teaneck,
18 judge.

19 THE COURT: Yeah; see, if you went to New York you'd
20 have penmanship that I can understand. And if you went to
21 parochial school you'd even have a real Palmer method.

22 Jonathan Klineman from Philadelphia, and Arnolo --

23 MR. WEICHSEL: Arnoldo Apolito.

24 THE COURT: Oh, Apolito, sure, okay, doctor. All
25 right, you can bring up the -- should we bring up the

Colloquy

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1 defendant? Let's bring her up and I'll mention to her the fact
2 that all -- I'll take a plea anytime during the trial.

3 MS. BAGLIVI: Judge, this is going to be a good one.

4 THE COURT: I know it's a good one. I know -- I
5 know, but --

6 MS. BAGLIVI: It's interesting. It's not --

7 MR. WEICHSEL: I mean Patty wants -- Patty wants to
8 show that videotape in the worst way.

9 THE COURT: I want -- we're not going to use that
10 tape.

11 MR. WEICHSEL: What?

12 MS. BAGLIVI: Well we are the beginning of it, the
13 computer stuff. It has my victim's computer company on it and
14 then you said you would tell -- I would stop it at that point
15 and you would tell the jury that the rest of the videotape
16 depicts, you know --

17 THE COURT: I did? I didn't say that at all, I said
18 you were going to look at it.

19 MS. BAGLIVI: Yeah, he did look at it.

20 MR. WEICHSEL: It's gross. That's all I can say,
21 it's gross. It has nothing to do with my client.

22 THE COURT: I don't know how we're going to do that.

23 (PAUSE)

24 THE COURT: Ms. Jamie Rene Farthing, is that right?

25 THE DEFENDANT: Yes.

Colloquy

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1 THE COURT: All right, good morning, Ms. Farthing.
2 We're ready to begin this trial wherein you're charged with
3 various charges of kidnapping and murder, weapons charges. And
4 there have been offers made by the prosecution with regard to a
5 plea. I just want to make sure you understand that my -- the
6 information I have received that you have been unable to reach
7 an agreement as to that plea offers and it's your desire to go
8 to trial on that, is that correct?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: All right, we will begin picking a jury
11 here today and you have -- you have discussed this with your
12 attorney?

13 THE DEFENDANT: Yes.

14 THE COURT: All right. And it's your desire to
15 continue to go to trial?

16 THE DEFENDANT: Yes.

17 THE COURT: All right, you know the ramifications of
18 possible punishment that may be --

19 THE DEFENDANT: Yes, sir.

20 THE COURT: -- imposed as a result if you're found
21 guilty?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You do? All right. All right, I'm going
24 to step out of the courtroom and I'll have the panel brought
25 in.

The Court Addresses Prospective Jurors 12

1 THE COURT OFFICER: They're all ready, Your Honor.

2 THE COURT: Yeah. Do you have hand cuffs on?

3 THE COURT OFFICER: No, she has nothing on.

4 THE COURT: Okay. And have the panel brought in and
5 then when they are brought in I will then return. Let me just
6 get my books out here.

7 (PAUSE)

8 THE COURT: Good morning, ladies and gentlemen,
9 please be seated? Well yesterday was Election Day and it was
10 the -- I hope most of you exercised your right, the precious
11 rights you have in this country to -- to vote. Today you'll
12 have another precious right, you'll serve as jury -- as jurors.
13 The two rights we have with a jury trial that citizens have
14 available to them and also voting. So you're participating in
15 the very heart of our republic. My name is Timothy J.
16 Sullivan, and I'm a Judge of the Superior Court of the State of
17 New Jersey.

18 Now, ladies and gentlemen, you have been brought here
19 today so that we may select a jury for this case which is
20 entitled the State of New Jersey versus Jamie Farthing, it's
21 F-A-R-T-H-I-N-G is the way you spell the last name. And we are
22 about to begin a process called a voir dire. And the purpose
23 of a voir dire is very simple, it's to obtain a jury which is
24 able to hear this case without any bias, any prejudice, or any
25 preconceived ideas. In short, the idea is to select a fair

1 jury.

2 Now, members of the panel, we are here to try the
3 matter in dispute between the State of New Jersey and Jamie
4 Farthing. This is a criminal case and there are various
5 charges. There are charges of kidnapping, there's charges of
6 murder, charges involving weapons. I'll read you the
7 indictment which was handed up July of 1995 by a Grand Jury.

8 The first count -- that's the first charge, there are
9 various charges here now -- the Grand Jurors charged that Jamie
10 Farthing on or about August 4 of 1994 in Hackensack did
11 unlawfully confine Robert Hippman, H-I-P-P-M-A-N, for a
12 substantial period for purpose of facili -- to facilitate the
13 commission of a crime or flight thereafter and did fail to
14 release the said Robert Hipp -- Hippman unharmed and/or in a
15 safe place prior to apprehension, and that's contrary to the
16 statute 2C:13.

17 The second count of the indictment charges that Jamie
18 Farthing, on or about August 4th of 1994 in Hackensack in the
19 course of committing a theft did use force upon Robert Hippman
20 while armed with a deadly weapon con -- contrary to provisions
21 of 2C:15-1, that's called Armed Robbery.

22 Count three, Jamie Farthing on or about August 4 of
23 1994 in Hackensack is charged that within the jurisdiction of
24 this court she knowingly and unlawfully did possess certain
25 weapon to wit an H&R 32 caliber revolver and a Rossi 38 caliber

The Court Addresses Prospective Jurors 14

1 revolver with the purpose to use it unlawfully against the
2 person or property of another contrary to the statute 2C:39-4.

3 The fourth charge, the fourth count, the Grand Jurors
4 charge that Jamie Farthing on or about August 4, 1994 in
5 Hackensack, that she knowingly and unlawfully did possess
6 certain weapons to wit an H&R 32 caliber revolver and a Rossi
7 38 caliber revolver without having obtained a permit to carry
8 same as provided by the statute.

9 The next count is that Mr. -- Ms. Farthing, on the
10 following day, August 5th 1994, in the Borough of Edgewater is
11 charged that she did purposely or knowingly cause the death
12 with -- or serious bodily injury resulting in the death of
13 James Polites contrary to the provisions of -- excuse me --
14 2C:11-3A.

15 The next count is Ms. Farthing, Jamie Farthing, on or
16 about August 5, 1994 in Edgewater did engage in the commission
17 of the crime of kidnapping during which she or another caused
18 the death of James Polites contrary to the provisions of 2C:11.

19 The next count, Jamie Farthing on August 5, 1994 in
20 the Borough of Edgewater did engage in the commission of the
21 crime of armed robbery during which she or another caused the
22 death of James Polites contrary to the provisions of 2C:11-3A.

23 The next count is that James Farthing on or about
24 August 5, 1994 in the Borough of Edgewater, she's charged that
25 she did unlawfully confine James Polites for a substantial

The Court Addresses Prospective Jurors 15

1 period with purpose of facilitate the commission of a crime or
2 flight thereafter and/or inflict bodily injury on James Polites
3 and did fail to release the said James Polites unharmed and/or
4 in a safe place prior to apprehension, that's contrary to the
5 statute.

6 Is it Polites or Polites?

7 MS. BAGLIVI: Polites.

8 THE COURT: It's Polites, I'm sorry; that's James
9 Polites. It's P-O-L-I-T-E-S, it's pronounced Polites.

10 The next count is that Jamie Farthing, on or about
11 August 5 of 1994 in the Borough of Edgewater is charged that in
12 the course of committing a theft she did use force upon James
13 Polites and/or commit the crime of murder upon James Polites
14 while armed with a deadly weapon contrary to the statute.

15 The next count is that Jamie Farthing is charged that
16 on August 5, 1994 in the Borough of Edgewater, she's charged
17 with knowingly and unlawfully she did possess certain weapons
18 to wit an H&R 32 caliber revolver and Rossi 38 caliber revolver
19 with the purpose to use if unlawfully against the person or
20 property of another.

21 And the final count, James Farthing is charged that
22 on August 5 of 1994, that she knowingly and unlawfully did
23 possess these weapons without having obtained a permit to carry
24 same contrary to the statute.

25 Now that's the case. Now I realize that jury service

The Court Addresses Prospective Jurors 16

1 may be new to some of you so a few preliminary remarks may
2 prove to be helpful.

3 Now the first step in a jury trial is the selection
4 of the jury. Now this process is important because both the
5 State and the defendant are entitled to jurors who are
6 impartial and agree to keep their minds open until the verdict
7 is reached. Jurors may be as free as human -- or they must be
8 as free as humanly possible from bias, prejudice or sympathy
9 and must not be influenced by preconceived ideas.

10 Those of you selected as jurors on this case shall
11 serve as judges of the facts. In other words, you will listen
12 to the testimony of witnesses, examine any physical evidence
13 introduced and thereafter determine the facts. I am the judge
14 of the law and at the conclusion of this matter after the
15 evidence has been presented and counsel have made their closing
16 arguments to you I will tell you what the law is and your must
17 apply that law to the facts in order to reach a fair an an
18 impartial verdict.

19 Now although you may be qualified to serve as a juror
20 in most cases, there may be something that could disqualify you
21 in this case or make it embarrassing for you to serve. In
22 order to learn this I will have to ask you questions. Now
23 please understand that the questions I will ask you, they are
24 for a legitimate purpose and they're not to simply pry into
25 your personal lives or affairs. Do not hesitate to speak your

The Court Addresses Prospective Jurors 17

1 mind honestly and plainly. If it very important that you
2 answer each question fully and truthfully and keep in mind that
3 there is no right or wrong answer. Truthful and honest answers
4 are necessary so that a fair and an impartial jury can be
5 selected.

6 Now, ladies and gentlemen, as we mature we all to
7 some extent develop certain biases and prejudices and fixed
8 opinions and views. We develop these from our families, from
9 other around us, the media and from our every day experiences.
10 Now you are entitled to be who you are and to feel and think
11 about things as you do. It is important to recognize any
12 biases, prejudices, fixed opinions and views that you may have
13 and to disclose them to me during jury selection. If for any
14 reason my questions do not cover why you should or you would
15 not be able to listen with an open mind to the evidence in this
16 case or in -- or you're unable to reach a -- a fair and a
17 impartial verdict it is necessary that you volunteer this
18 information to me when you are questioned. If at any time
19 during the jury selection process you wish to discuss anything
20 with me concerning your ability to serve as a juror, you raise
21 your hand and I will speak to you outside the presence of the
22 other jurors but in the presence of the attorneys.

23 After I have questioned each of you, you may be
24 excused as a juror by me if in my opinion there is a valid
25 reason why you should not serve. Each attorney may also excuse

The Court Addresses Prospective Jurors 18

1 a limited number of jurors without giving any reason for doing
2 so. In the event you are excused please do not consider this
3 an insult or take it personally, it is merely part of the
4 process employed in selecting a jury as permitted by the law.

5 Now I have given you the -- a brief explanation as to
6 the charges. Our best estimate as we discussed the length of
7 this particular case, it should take a couple of weeks. I'll
8 tell you what we anticipate so we understand. We have a -- we
9 hope to start the case either today or tomorrow and be here
10 Friday. On Monday there's a Veteran's Day -- it's a holiday,
11 it's a state holiday and the court's are closed, so court will
12 be Tuesday, Wednesday and Thursday of next week. The following
13 week is the 18th, 19th, 20, 21, and now we're into the Thursday
14 before the Thanksgiving week. We hope to be finished by that
15 Thursday or at least Friday. If we're not we'll go into the
16 Thanks -- the beginning of the Thanksgiving week which is
17 Monday and Tuesday, the 25th and 26th. We should be finished
18 with the case by that time. If everything falls the way we
19 hope that it falls we should be finished before Thanksgiving,
20 and that's the length of the case.

21 Now, on Friday, the 15th, I have other matters
22 scheduled. On the 22nd of November I also have other matters
23 scheduled; not this Friday, this Friday we will have testimony.
24 So it's three weeks from today; today is Wednesday, almost --
25 actually two weeks, from the 6th to the 21st and possibly if we

The Court Addresses Prospective Jurors 19

1 don't get everything done we'll go into Monday and Tuesday of -
2 - of Thanksgiving week, that's the length of the trial.

3 Let's talk about the indictment. You see the
4 indictment that I read to you, the charges against or have been
5 filed by the Grand Jury regarding Ms. Farthing is not evidence
6 of any guilt. It's the -- the indictment is a step in the
7 procedure to bring the matter before the court and jury for the
8 -- for a jury's determination, ultimate determination as to
9 whether she is guilty or not guilty of these charges. And that
10 has to be decided on what you hear in this courtroom, nowhere
11 else. So that fact that there's a indictment doesn't mean that
12 there's any evidence of guilt. Again, I talked about the system
13 we live under. We had Election Day yesterday and now jury
14 duty, one of -- one of the principles of the trials in this
15 country is that a defendant is presumed to be innocent. She
16 has pleaded not guilty to the charge and then she is presumed
17 to be innocent. Now unless each and every essential element of
18 the offenses that I mentioned are proved beyond a reasonable
19 doubt, the defendant may be -- must be found not guilty of
20 these charges, and each charge will be considered separately.

21 Now the burden of proving each element of the charge
22 beyond a reasonable doubt rests upon the State and that burden
23 never shifts to the defendant. It is not the obligation or the
24 duty of the defendant in a criminal case to prove her innocence
25 or offer any proof relating to her innocence. And a reasonable

The Court Addresses Prospective Jurors

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1 doubt is an honest and reasonable uncertainty as to the guilt
2 of the defendant existing in your minds after you have given
3 full and impartial consideration to all of the evidence. Now
4 that doubt may arise from the evidence itself or it may arise
5 from the lack of evidence.

6 Now you will have to apply the law as I give it to
7 you and regardless of your own personal feelings about it.
8 Again I remind you since this is a criminal case your verdict
9 re -- any verdict returned by jurors must be unanimous. That
10 means simply that all 12 jurors who may be selected to
11 deliberate must agree upon any verdict returned to the court.

12 I'm going to introduce you to the attorneys involved,
13 I'm going to introduce you to the defendant, and then I'm going
14 to read a list of potential witnesses, possible witnesses.
15 That doesn't mean all of them will be called, but there may --
16 they may be call, there may be references made to them during
17 the trial and when I read those names to you if you recognize
18 any of them you make a mental note of it and if you're called
19 upon to serve as a juror in the case let us know how you
20 recognize that name and we'll discuss it at that time. First
21 I'm going to introduce you to the Prosecutor in this case who
22 is going to be representing the State of New Jersey throughout
23 these proceedings, Ms. Patricia Baglivi. Please stand, Ms.
24 Baglivi?

25 MS. BAGLIVI: Good afternoon, ladies and gentlemen,

The Court Addresses Prospective Jurors 21

1 my name is Patricia Baglivi and I'm Assistant Prosecutor here
2 in Bergen County.

3 THE COURT: Thank you. Now I'm going to ask the
4 attorney for Ms. Farthing to arise, a Mr. John Weichsel.
5 Introduce yourself -- and now that's Mr. Weichsel, and
6 alongside Mr. Weichsel is Ms. Farthing.

7 MR. WEICHSEL: Good afternoon, my name is John
8 Weichsel, I'm an attorney here in Bergen County. This young
9 woman next to me is Jamie Farthing and she -- she is from
10 Conyers, Georgia.

11 THE COURT: Thank you. I'm going to read you list of
12 names now, ladies and gentlemen. Listen for them, if you
13 recognize any of them make a mental note and then tell us about
14 it when we -- if we call your name.

15 There's a John Acunto, A-C-U-N-T-O, of Hohokus, New
16 Jersey; a Loopey Anderson of Union City, Georgia; Luke Anderson
17 of Union City, Georgia; Nate Batchi -- Bachino and Natali, it's
18 -- the nickname I guess is Nate, N-A-T-E, Bachino of Fairview,
19 New Jersey; Tina Ball of Fair -- of Fort Lee, New Jersey; Ann
20 H. Hunter of Conyers, Georgia; Richard Stanford of Scotch
21 Plains, New Jersey, Elizabeth Yancey of Long Island City in New
22 York, Ruth Kehoe and Edith Mankowitz -- Man -- Mankowski, both
23 of whom are from the Carteret Saving Bank in Oradell, New
24 Jersey, they're employed there; Carmella Lesterstock and
25 Leonard Menachino of Valley -- Valley Bank in Bergenfield;

The Court Addresses Prospective Jurors 22

1 Elsie Alexander of Albany, New York, Kathy Farthing of Conyers,
2 Georgia; Paul Farthing of Conyers, Georgia; Jason Farthing of
3 Conyers, Georgia; Jessie Farthing of Conyers, Georgia; Karen
4 Marie Hedley of Little Ferry, New Jersey; Robert Hippman,
5 alleged victim as mentioned in the indictment of Hackensack,
6 New Jersey; Iasuki Isamoro of New York City; Ethan Mayann,
7 M-A-Y-A-N-N, of Englewood, New Jersey; Karen Ortega of
8 Demerest, New Jersey; Edward Cummer, C-U-M-M-E-R, of Conyers,
9 Georgia; Myonn Suh I think it's pronounced, the last name is
10 S-U-H, Byone Suh and Ching Hwa, H-W-A, Suh, both of Hempstead,
11 New York; Thomas Delgado of the Bronx, New York; Vincent Lupino
12 of Edgewater, New Jersey; Leonard Marshall of Boca Raton,
13 Florida; William Mooney of Little Falls, New Jersey; Magda
14 Molena Rahey or Rahey or Brooklyn, New Jersey -- I'm sorry,
15 Brooklyn, New York; Al Sambogna of Edgewater, New Jersey;
16 Donald Sposa of Fort Lee, New Jersey; Paul Bishoff of
17 Eatontown, New Jersey; Elizabeth Deagas of Edgewater, New
18 Jersey; George Polites of Fort Lee, New Jersey; Stella Polites
19 of Fort Lee, New Jersey; Peter Polites of Fort Lee, New Jersey;
20 Michelle Jaris of New Rochelle, New York; Max Calmanowitz of
21 New York City; Mario Jakobeno of Fort Lee; Dr. Steven
22 Shemmering -- Shimmering of the Department of Psychiatry in the
23 New Jersey Medical School in Newark; William S. Woodkich or
24 Wookitch of the Bell Atlantic Nynex Mobil, that's from Bed --
25 Bedminster, New Jersey; Steven Mallon of -- what's that,

The Court Addresses Prospective Jurors 23

1 Chelsea Mini Storage of New York City.

2 And now there is -- there are also a list of police
3 officers and members of the Prosecutor's Office who may be
4 testifying in this case; Sergeant -- I'm sorry, Senior
5 Investigator Terrance Alver -- these are from the Prosecutor's
6 Office here -- Sergeant Thomas Goldrich -- Goldrick, I'm sorry;
7 Senior Investigator Frank Kelaheer; Lieutenant Roger Cane;
8 Senior Investigator Carlos Rodriguez; Senior investigator John
9 Hardigan; Senior Investigator Vincent Markowski; Sergeant
10 Anthony D'Augustino -- Augustio -- Augustine, there's no O
11 there; Sergeant Anthony D'Augustine; Investigator Joseph
12 Harniak; and Lieutenant Michael Trahey.

13 From the Narcotics Task Force of Bergen County,
14 Investigator Salvatore Urato.

15 Rockdale County Sheriff's Department, I believe that
16 would be -- that's in Georgia? Rockdale County in Georgia,
17 Sheriff's Department, Investigator Michael Sellers of Conyers,
18 Georgia.

19 United State's Marshal's Metro Fugitive Squad from
20 Atlanta Georgia is Investigator W.S. Robinson; Investigator
21 Orlando Whitehead; Investigator Bill Smith; Investigator Efrim
22 Davis.

23 From the Hackensack Police Department, Lieutenant
24 John Hines; Detective Sergeant Fred Poglisi; Detective Sergeant
25 Steven Molger; Detective Sergeant Huge Farley; and Police

The Court Addresses Prospective Jurors 24

1 Officer Scott Sibel.

2 From the Bergen County Sheriff's Department,
3 Lieutenant Anthony Rovenda; Detective Chester Robinson;
4 Sheriff's Officer Henry Barca; Sheriff's Officer John Kennedy;
5 Detective Sergeant John Murphy; Detective Lieutenant Floyd
6 Dempsey; Corrections Officer Brian Shaw.

7 The Bergen County Police Department, Detective Robert
8 Depalmer.

9 From the Edgewater Police Department, Police Officer
10 Don Wright; Detective Sergeant Robert Bailey; Police Officer
11 Henry Webber; Police Officer Brian Gilmartin; Sergeant Dominick
12 V. Ray; Police Officer Edward Ring.

13 From the New York City Police Department, Detective
14 Frank Caruso.

15 From the F.B.I. Laboratory from Washington, D.C.,
16 George Scaluba.

17 From the Drug Enforcement Agency Task Force Detective
18 Lisa Barienzo; Detective Sal Palumbo.

19 From Suffolk County Police Department, Detective
20 William Donahue; Detective McAlvin; Detective Sergeant Edward
21 Fandrey, F-A-N-D-R-E-Y; Detective Robert J. Anderson.

22 From the New York City Police Department, the Midtown
23 South Robbery Unit, Lieutenant Arthur Monahan; Sergeant Pat
24 McAndrew; Sergeant Al Reganhard; Sergeant Jim Martin; Detective
25 Al Throl; Detective Richard Briacky, Detective Joseph Deanin;

The Court Addresses Prospective Jurors

25

1 Detective Michael Duggan; and Detective Tommasi.

2 And from the Forensic Lab of the New York -- I'm
3 sorry, the New Jersey State Police Laboratory there's
4 Christopher H. Uber, forensic scientist -- senior forensics
5 scientist; Lowell R. Mark, senior forensic scientist; Joyce A.
6 Poliniak of the -- she the -- also a senior forensic scientist;
7 Nancy Wilkens, a document examiner.

8 New Jersey State Police in Totowa, New Jersey,
9 Detective James R. Molinari -- Molinaro.

10 From the Bergen County Medical Examiner's Office, a
11 Dr. Sunandan Singh.

12 The Suffolk County Medical Examiner's Office, Dr.
13 Gweyn Holliman.

14 New York City Ballistics Lab in New York City Police
15 Department, Police Officer Joseph Rimerez.

16 And then the Suffolk County Division of Medical,
17 Legal Investigations and Forensic Scientists, Jeffrey Lubor, an
18 analyst; Robert Bowman, an analyst; Linda Sherlock Reich, a
19 analyst; and Thomas D. Zaveski, Z-A-V-E-S-K-I, an analyst.

20 Also, a Billy Fineberg, a social worker from Nanuet
21 New Jer -- New York; Joseph Kainman, psychologist from
22 Philadelphia; and a Arnoldo Apolito, a psychiatrist/medical
23 doctor from Montclair, New Jersey (names are phonetic).

24 Now that's the list. That doesn't mean everybody's
25 goign to be called, but that's the list of potential witnesses.

The Court Addresses Prospective Jurors 26

1 All right, ladies and gentlemen, now as your name is
2 called I'm going to ask that you come up and set yourself in
3 this jury box. Now the way you get up here is when your name
4 is called you -- those of you on my right side or on the left
5 side of the courtroom find your way up around the back. See
6 where my officer is standing? You come around the back and
7 he'll show you where to go. So all of you figure it out now,
8 if your name is called, how you're going to get up here without
9 climbing over everybody, all right? The front -- the first row
10 there of seats is empty for those of you who want to slip
11 through there; that's why it's empty, so that you can kind of
12 get up there. But you can come up the middle aisle and step
13 over that way out that way or around this way. Do not come into
14 the well of the court, just go around the back, that's the way
15 you come in, all right?

16 When your name is called now just answer here, let me
17 know you're here, and then proceed up to where my officer is.
18 After you get through the first or second then you'll -- it
19 becomes obvious how -- how it will work, all right?

20 (JURY SELECTION)

21 * * *

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CERTIFICATION

I, Dolores Hastings, the assigned transcriber, do hereby certify the foregoing transcript of proceedings in the Bergen County Superior Court, Law Division, Criminal Part, on November 6, 1996, on tape number 179-96, index number from 01:05:18 to 01:54:23, is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate non-compressed transcript of the proceedings as recorded.


Dolores Hastings

417
AOC Number

KEMCO TRANS, INC.
Agency Name

6/20/97
Date